Supreme Court, U. S.
FILED
JUN 9 1978
MICHAEL RODAK, JR., CLERK

IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 1977

NO. 77-1428

YESTERDAY'S CHILDREN, A Not-For-Profit Corporation, CYNTHIA DOE, JEANINE DOE, BEVERLY DOE, JUDY DOE, KAREN DOE, M. JANE DOE, VERONICA DOE, JAMES DOE,

Petitioners,

- VS -

MARGARET KENNEDY, Director, Illinois Department of Children and Family Services, HARRY COMERFORD, Presiding Judge, County Division, Circuit Court of Cook County, PAUL Q. PETERSON, Director, Illinois Department of Public Health, STANLEY KUSPER, Clerk, Cook County, and WILLIAM SCOTT, Attorney General of Illinois,

Respondents.

REPLY OF PETITIONERS TO BRIEF FOR RESPONDENTS IN OPPOSITION

Patrick T. Murphy, Esq.
GOLDBERG & MURPHY, LTD.
33 N. LaSalle - Suite 2300
Chicago, Illinois 60602
312/782-4530

IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 1977

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YESTERDAY'S CHILDREN, et al., - - - Petitioners,

- VS -

MARGARET KENNEDY, et al., - - - - - Respondents.

REPLY OF PETITIONERS TO BRIEF FOR
RESPONDENTS IN OPPOSITION

In their Brief in Opposition, the Respondents state at page 5:

> "Considerations of equity, comity and federalism -- mandate abstention in the instant case, especially because there is a pending State Court action seeking resolution of substantially the same issues raised by Petitioners below."

In a footnote to that statement the Respondents point out that a case was filed in the Circuit Court of Cook County (In The Matter of Marks, et al.) which "asked for a clarification of the standards needed to unseal Illinois adoption records as articulated In The Matter of Daniel Doe ---." The Respondents then point out the same attorney who represents the Petitioners herein is also counsellor of record in the case which they claim raises the same issues as are being litigated herein.

The statement that the issues raised in Marks are substantially the same as here is erroneous.

1. In the brief one page Petition filed in Marks, (See Appendix 1, pp. 1a and 2a of the Brief For Respondents In

Opposition) the Plaintiffs nowhere raise or argue any constitutional issue. Indeed, the PRAYER quite simply asks that the record be opened to each of them so that they can begin to determine who their natural parents are.

2. Although the Respondents argue that the Memorandum of the attorneys for one of the Petitioners in Marks, a lawyer for the Legal Assistance Foundation of Chicago, does raise the constitutional question, a perusal of her Brief which is included in the State's Appendixes at pp. 6a through 15a will indicate that while she discusses the constitutional question she does not argue that the present Illinois statutory scheme is unconstitutional.

3. The respondents apparently inadvertently forgot to allude to, or file as

an Appendix, the Brief of the attorney (lead counsel in Marks) for three of the Petitioners in Marks (who is also the attorney for the Petitioners herein.* That Memorandum quite explicitly states:

> "For that reason (along with the reason that a case concerning the constitutional issues is now pending in front of the United States Supreme Court), Petitioners herein do not raise the question of the constitutionality of the statutes. The Petitioners merely argue that a reasonable interpretation of the statutory scheme would be that an adult adoptee, alone, is entitled to view his or her own personal records.**

* The Respondents seem to imply here as they did in the Court of Appeals that since counsel here is also of record in a State Court matter involving adult adoptees - though with different parties and issues - that somehow abstention is relevant. Such a position is not only without precedent but also would be disastrous financially for the lawyers who have a reputation in certain areas of law and hence attract certain types of clients.

** A copy of the original Complaint is attached herein as Appendix 2. (In the Petition for Certiorari the Complaint is referred to as Appendix 3 but inadvertently was not included as Appendix 3).

4. A reading of the Petition in Marks and the Memorandum included as an Appendix herein makes it obvious that the issues in Marks and the issues here are entirely different. However, the issues raised in Marks - as were the issues raised in Doe (See Petition for Writ of Certiorari at pp. 22-24) do underscore the problems faced by adult adoptees who attempt to obtain a glimpse of their court and birth records.

The issue presented herein is whether an adult adoptee can obtain access to his or her court and birth records without employing the expensive, time consuming and normally fruitless task of litigation.

The Petitioners in Marks - as the Petitioner in Doe - have had to expend energy, time, money and probably have to endure - as did Doe - humiliation - in an

effort to obtain their records. Indeed, that the Petitioners in Marks are attempting to do is no different than what other adult adoptees have been attempting to do for years. As the Petitioners herein pointed out at paragraph 27 of their Complaint,

> "Over the years, Plaintiffs and other adoptees have sought unsuccessfully through, the courts, Bureau of Vital Statistics, and private agencies to determine the identity of natural parents and family. In Cook County, on only several occasions have adult adoptees been able to view their files, and then only if they can demonstrate critical medical reasons to justify their request."

CONCLUSION

The Respondents' argument that the issues being litigated herein have been - or are being - raised in State Court proceedings is simply inaccurate. The fact that the same attorney is representing

three clients presently and one previously (Daniel Doe) who wish to obtain their records by employing litigation and all the problems and financial strains attendant thereto is irrelevant to the question of whether it is unconstitutional to force adult adoptees to bear the burden of litigation to attempt to obtain their records.

For reasons stated in the Petitioners Petition for Writ of Certiorari, they respectfully ask that this Court issue a Writ of Certiorari to the United States Court of Appeals for the Seventh Circuit.

Respectfully submitted,

PATRICK T. MURPHY

GOLDBERG & MURPHY, LTD.
33 N. LaSalle - Suite 2300
Chicago, Illinois 60602
(312) 782-4530

APPENDIX I

IN THE CIRCUIT COURT OF COOK COUNTY ILLINOIS

COUNTY DEPARTMENT, COUNTY DIVISION

IN THE MATTER OF)
)
BARBARA LOIS LEBOWITZ MARKS,) NO. 78 CO 307
et al.

MEMORANDUM IN SUPPORT OF PETITIONERS' POSITION

The Petitioners, all adopted as infants, are presently adults who are attempting to view their court and birth records to determine if there is information in these records which would lead them to discover any biological family they might have. Such a family, obviously would include not only parents, but grandparents and brothers and sisters. Presently, Illinois law provides that "--the Court may order that the file relating to such proceedings shall be impounded by the Clerk of the Court and shall be opened for examination only upon special order

of the Court--". Ill. Rev. Stat. Ch. 4, §9.1-18 (1977). A substantially similar provision is contained in the Vital Records Act for the inspection or certification of an original Birth Certificate. Ill. Rev. Stat. Ch. 111 1/2, §73-17 (1977). The Petitioners herein have no argument with these provisions insofar as they stand. Nor do the Petitioners raise any constitutional question concerning the right of the Court to impound the records of an adopted individual.

However, a reasonable interpretation of the above statutes is that such records are to be impounded from all parties except the adult adoptee. Quite obviously the Legislature had a purpose in excluding other parties from viewing the records of an adopted party. However, the Legislature would have no purpose in excluding the records from the adult adoptee. Indeed, nowhere else in Illinois legislation are their provisions

for excluding the adult individual from viewing records concerning him or herself where such records would not be a harm to the individual himself.* Any interpretation of the above statutes which would exclude adult adoptees would probably run aground of the United States and Illinois Constitutions. For that reason (along with the reason that a case concerning the constitutional issues is now pending in front of the United States Supreme Court), Petitioners herein do not raise the question of the constitutionality of the statutes. The Petitioners merely argue that a reasonable interpretation of the statutory scheme would be that an adult

* The apparent reason advanced by some individuals for interpretting the statute so as to prevent adult adoptees from viewing their records is that harm would be done either to the natural or adopted parents.

adoptee, alone, is entitled to view his or her own personal records.**

For the reasons above stated the Petitioners herein respectfully ask that this Court give them immediate access to their birth and court records surrounding their birth and adoption.

Respectfully, submitted,

PATRICK T. MURPHY
GOLDBERG & MURPHY, LTD.
33 N. LaSalle - Suite 2300
Chicago, Illinois 60602

** Indeed, the Assistant State's Attorney assigned both to this cause and to the Federal cause admitted to the United States Court of Appeals during oral argument in the case of Yesterday's Children, et al. v. Margaret Kennedy, et al., No. 77-1870 that adulthood might well be a good cause for opening the records to the adult adoptee. For a more detailed analysis of the constitutional questions (which is not raised by Petitioners herein) the Petitioners attach a Memorandum of Law previously filed by other Plaintiffs in the Yesterday's Children case in Federal Court.

In The
UNITED STATES DISTRICT COURT
For The
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

YESTERDAY'S CHILDREN, A Not-for-Profit Illinois Corporation, Cynthia Doe, Jeanine Doe, Beverly Doe, Judy Doe, Karen Doe, M. Jane Doe, James Doe, On behalf of themselves and a class of individuals too numerous and transitory to mention,

Plaintiffs,

vs.

MARY LEE LEAHY, Acting Director Illinois Department of Children and Family Services, HARRY COMERFORD, Presiding Judge, County Division, Circuit Court of Cook County, JOYCE LASHOFF, Director, Illinois Department of Public Health, STANLEY KUSPER, Clerk of Cook County, WILLIAM SCOTT, Attorney General of Illinois,

Defendants.

COMPLAINT

PRELIMINARY STATEMENT

This is a Complaint filed individually and on behalf of all individuals who were adopted pursuant to Illinois law, who are now adults and who wish to obtain and/or have an opportunity to view, upon presentation of proper identification, records identifying their natural parents, background, extended family and any other pertinent information. Illinois law presently allows any party to an adoption proceeding to move that the records be sealed and remain so absent a Court Order. For over 25 years all adoption records have been customarily sealed in Cook County and for the past two years there has been a general Court Order to that effect. Traditionally information has been afforded to adoptees only upon proof of serious and probably hereditary medical problems. (However, even absent this custom and action the mere threat of action and the necessity for the Plaintiffs to endure long and expensive litigation to determine their identity creates a breach of Plaintiffs' constitutional rights.)

There are three sets of records the Plaintiffs contend that they are automatically entitled to without court action: (1) the original court file, (2) the original birth certificate, and (3) records from the private adoption agency if one were involved.

The Plaintiffs assert that the continued concealment by statutory fiat and State action of their identities deprives them of cherished constitutional protections and rights which are afforded to other citizens.

The last names of all but the corporate Plaintiff have been eliminated from the Complaint (though they are available to the Court and the Defendants). The Plaintiffs are requesting for purposes of written documents such names remain anonymous inasmuch as in many cases their adoptive parents for whom the Plaintiffs feel gratitude and filial affection would be disturbed by their present action.

I

JURISDICTION AND VENUE

1. This is an action for injunctive and declaratory relief to protect the Plaintiffs constitutional rights protected by the First, Fifth, Ninth, Thirteenth and Fourteenth Amendments to the United States Constitution.

2. Subject matter jurisdiction is

vested in this Court pursuant to 42 U.S.C., 1983, Art. 28 U.S.C., 1342(3); to grant declaratory and further relief under 28 U.S.C., 2801 and 2802; to grant injunctive relief under 28 U.S.C., 2281 and 2284.

3. Venue is conferred upon this Court because the cause of action arose in the Northern District of Illinois and most of the Plaintiffs and Defendants reside there.

II

TYPE OF PROCEEDING

4. Plaintiffs seek a judgement declaring that Ill. Rev. Stat. Ch. 4, §9.1-18 unconstitutional inasmuch as its force and effect deprive Plaintiffs of their rights as protected by the First, Fifth, Ninth, Thirteenth, and Fourteenth Amendments to the U.S. Constitution.

5. Plaintiffs seek a judgement de-

claring that action of State officials and of officials of private agencies acting under the color of State law in preventing the Plaintiffs from ascertaining their true identity are in violation of the Plaintiffs' rights secured by the First, Fifth, Ninth, Thirteenth and Fourteenth Amendments of the United States Constitution.

6. Plaintiffs seek a judgement declaring that Ill. Rev. Stat. Ch. 111 1/2,§73-17(2)(a) and (4) is unconstitutional inasmuch as its force and effect deprive the Plaintiffs of their rights as protected by the First, Fifth, Ninth, Thirteenth and Fourteenth Amendments to the U.S. Constitution.

7. Pursuant to authority of 28 U.S.C., 2281 and 2284 and 42 U.S.C., 1983, Plain-

tiffs seek an order permanently enjoining Defendants, their officers, agents and employees from preventing the Plaintiffs from viewing Court files pertinent to them (the Plaintiffs), from denying Plaintiffs access to their original birth certificates and from denying Plaintiffs access to such files in private agencies as will assist Plaintiffs in determining the identity and whereabouts of their natural parents.

III

RELEVANT STATUTES

Ill. Rev. Stat. Ch. 4, §9.1-18:

> 9.1—18. § 18. Records confidential.) The word "illegitimate" or the words "born out of wedlock", or words importing such meaning, shall not be used in any adoption proceeding in any respect.
>
> Upon motion of any party to an adoption proceeding the court shall, or upon the court's own motion the court may, order that the file relating to such proceeding shall be impounded by the clerk of the court and shall be opened for examination only upon specific order of the court, which order shall name the person or persons who are to be permitted to examine such file. Certified copies of all papers and documents contained in any file so impounded shall be made only on like order.

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Ill. Rev. Stat. Ch. 111 1/2, §73-17(2)(a):

> (a) Thereafter, the original certificate and the evidence of adoption, paternity, legitimation, or sex change shall not be subject to inspection or certification except upon order of a court of competent jurisdiction or as provided by regulation.

Ill. Rev. Stat. Ch. 111 1/2, §73-17(4):

> (4) When a new certificate of birth is established by the State Registrar of Vital Records, all copies of the original certificate of birth in the custody of any custodian of permanent local records in this State shall be transmitted to the State Registrar of Vital Records as directed, and shall be sealed from inspection.

IV

PARTIES

8. "Yesterday's Children" is a not-for-profit Illinois Corporation consisting of approximately 450 adults who were adopted as infants.

9. Cynthia Doe was adopted in 1952 through the Illinois Children's Home and Aid Society (hereinafter ICH&A). She was abandoned by her natural parents at the age of three and placed under state guardianship through the Juvenile Court. The

State placed her with ICH&A. ICH&A later put her in the home of her adoptive parents. When Cynthia was 21 she discovered that she had a younger brother also abandoned by her parents and placed by the State with ICG&A. That agency placed him in a separate adoptive home. Cynthia became increasingly anxious concerning her brother, and finally went to ICH&A and sought their assistance in determining his whereabouts. Officials at the agency rebuffed her persistent requests and told her that her brother's whereabouts were none of her business.

10. Plaintiff Jeanine Doe was adopted in 1949 through the Catholic Charities. She attempted to discover her parents' identity from that agency in 1974. Social workers at Catholic Charities refused to

divulge the names of her natural parents though they did indicate the ethnic background, age, and physical description of her mother, and a little of her father's background. She has not attempted to get information through the courts, realizing that it would be fruitless.

11. Plaintiff Beverly Doe was adopted in 1939 through The Cradle. She has sought information regarding her parents from this agency, but was given only background information about them. She has not attempted to petition the Court.

12. Plaintiff Judy Doe was adopted in 1942 through The Cradle. When she attempted to discover her natural parents' identity, she was scolded by employees at The Cradle for being ungrateful, and refused information. She has not sought

Court assistance.

13. Plaintiff Karen Doe was adopted in 1941 through the Chicago Foundling Home. Twice she attempted to obtain information regarding her natural parents' identity from this agency. She was denied information on both occasions and received a scolding once concerning her alleged ingratitude. She has made no effort to obtain Court assistance.

14. Plaintiff Jane Doe is a resident of New Mexico presently but was adopted in Chicago through the Chicago Foundling Home in 1946. She attempted to obtain information regarding her natural parents in 1974, but the Foundling Home refused her request. She has made no effort through the Courts.

15. Plaintiff Veronica Doe was adop-

ted in 1939 through St. Vincent's Orphanage. She has never attempted to ascertain her parents' identity either through the agency or the Courts.

16. Plaintiff James Doe was adopted in 1945 through Catholics Charities. He tried to determine the identity of his natural parents through the hospital where he was born, but was told by administrators that the law forbade it. Later he went to Catholic Charites where he was told that he could receive background information on his parents only for mental or medical reasons but even then the names could not be divulged. He wrote the Department of Public Health, but received only his adoption birth certificate. He has not sought assistance from the Courts.

17. The Plaintiffs bring this suit on

their own behalf, and pursuant to Rule 23 of the Federal Rules of Civil Procedure on behalf of all other adult adoptees affected by the laws and actions complained of herein. The members of the class are so numerous as to make it impracticable to bring them before the Court. Common relief is sought for all - the ability (if they so desire) to discover the identity of their parents. The interests of the class are adequately represented by the Plaintiffs. A determination that the aforementioned statutes are unconstitutional and permanent injunctions against both their enforcement and the actions done under color of State law will be depositive of the interests of other members of the class.

18. Defendant Mary Lee Leahy is the

Acting Director of the Illinois Department of Children and Family Services, and as such is responsible for licensing the child welfare adoptive agencies and condoning their refusal to divulge names of natural parents and other background information to adoptees.

19. Defendant Harry Comerford is the Presiding Judge of the County Division of the Circuit Court of Cook County, and as such is administratively responsible for assuring that adoption records are - and remain - sealed not only as against the public, but as against adult adoptees as well.

20. Defendant Stanley Kusper is the Clerk of Cook County and as such is responsible for sealing the original birth certificates of adoptees, and also refusing

to give adult adoptees copies of their original birth certificates.

21. Defendant Joyce Lashoff is the Director of the Illinois Department of Public Health and as such is responsible for enforcing provision of Ill. Rev. Stat. Ch. 111 1/2, §73-17(2)(a) and 73-17(4).

22. Defendant William Scott is the Attorney General of Illinois, and as such is the chief law enforcement officer and responsible for enforcing the provisions of the aforementioned statutes.

V

FACTUAL ALLEGATIONS

23. The State of Illinois, both by statute and through the actions of State officials acting under the color of State law, has discriminated against individuals who were adopted as infants. Knowing

one's natural parents, ancestors and family background is an important right. Children who are not adopted - or who are adopted at a later stage in life - of course know who their parents are. This is true whether the parents are good, kind and loving, or cruel, despotic, neglectful and rejecting. The children can also discover who their extended family are, again regardless of the acceptance or rejection of individual aunts, uncles, counsins, grandparents, etc. However, Illinois has maintained a statutory and actual policy of preventing adopted children from discovering the names and circumstances of their natural parents and relatives, and the facts surrounding their birth and adoption.

24. Ill. Rev. Stat., Ch. 4, §9.1-18

mandates that "--upon the motion of any party to an adoption proceeding the Court shall, or upon the Court's own motion the Court may, order that the file relating to such proceeding shall be impounded by the Clerk of the Court and shall be opened for examination only upon specific order of the Court; which order shall name the person or persons who are to be permitted to examine such file --". For over 25 years it has been Cook County Court policy automatically to seal such files. For the past two years there has been a general court order, issued by Defendant Comerford, that such files be automatically impounded. Of course without this court procedure files can be sealed by the request of any party.

25. Once such files are sealed then

a new birth certificate is issued, "--and the original certificate and the evidence of adoption -- shall not be subject to inspection or certification except upon order of a court of competent jurisdiction or as provided by regulation." (Ill. Rev. Stat., Ch. 111 1/2, §73-17(2)(a)(1973), see also §73-17(4)). The result is that adoptees who have reached adulthood can not obtain their original birth certificates.

26. Adoption agencies formalized by statute (Ill. Rev. Stat. Ch. 23, 2212. 08) and licensed by the employees of Defendant Leahy (Ill. Rev. Stat., Ch. 23, §2214) have customarily denied adoptees access to their records.

27. Over the years, Plaintiffs and other adoptees have sought unsuccessfully

through the courts, the Bureau of Vital Statistics, and private agencies to determine the identity of natural parents and family. In Cook County, on only several occasions have adoptees been able to view their files, and then only if they can demonstrate critical medical reasons to justify their request.

28. As was pointed out in paragraphs 8 through 15 of this Complaint, most of the Plaintiffs have unsuccessfully sought assistance of and permission from their adoption agencies in their quest. In each case they were rebuffed, sometimes in a cruel fashion. The named Plaintiffs herein have not petitioned the courts for such records realizing that such a petition would be time-consuming, expensive, and fruitless (since none had apparent

medical reasons for such a search).

29. Yesterday's Children is a not-for-profit Corporation founded in May, 1974, and incorporated in July of the same year. Members and officers of Yesterday's Children have attempted since May, 1974, to persuade Illinois officials to review and change the policy of forbidding adoptees from viewing their records and discovering the identity of their parents. They have written each of the 104 child welfare agencies in Illinois dealing in adoptions. Eleven of these agencies responded. Most of the responses were to the effect that the agencies would be happy to meet with Yesterday's Children, but that they could reveal no information because the law forbade it. Officers of

Yesterday's Children have met and discussed the issues with various officials of these agencies, but the response has always been the same.

30. Yesterday's Children wrote to each Illinois State legislator concerning the problems and their wish for change. They received one response.

31. Officers and members of Yesterday's Children met with Defendant Leahy and her predecessor, Dr. Jerome Miller, in an attempt to have DCFS policy regarding secrecy surrounding adoptions and licensing reviewed. Both Defendant Leahy and Dr. Miller indicated that they understood the plight of adult adoptees but apparently nothing has been done.

32. Officers and members of Yesterday's Children have spoken with Defendant

Comerford on approximately 12 occasions, have written him twice, and met personally with him once. Defendant Comerford has indicated an awareness of the problem, but apparently believes, absent serious medical or psychological reasons, adults adopted as children should have no access to their records.

VI

RIGHTS VIOLATED

INTRODUCTION

There are two ways in which the constitutional rights of the Plaintiffs have been violated: (1) by the statutes themselves and (2) by the action of State officials and private child adoption agencies acting under the color of State law. (1) The statutes (Ill. Rev. Stat., Ch. 4, §9-1-18, §73-17 (2)(a) and (4) violate Plaintiffs'

rights because they allow the courts, the adoptive parents, the adoption agency or the natural parents to move to seal such records from the adoptee. (2) The State and private agency officials (acting pursuant to licensure by Defendant Leahy and her predecessors) have pursuant to the aforesaid laws woven a web of secrecy over all aspects of an adoption to the detriment of the Plaintiffs and other members of their class.

33. The State of Illinois has denied the Plaintiffs their Fourteenth Amendment rights to the equal protection of the laws by preventing their access to information concerning their background, based on the suspect classification of their status as adoptees.

34. The Plaintiffs' rights to acquire

useful information (including the right to determine their natural heritage) have been violated. These liberties are protected by a penumbra of rights emanating from the Bill of Rights, specifically the First, Fifth, Ninth and Fourteenth Amendments of the U. S. Constitution.

35. The Plaintiffs' rights to be free from involuntary servitude as protected by the Thirteenth Amendment to the U.S. Constitution have been violated by the statutes and actions complained of. As adopted infants the Plaintiffs were placed into a chattel status - an unfortunate but explicable happenstance. However, the State's continued insistance on maintaining that chattel status even into adulthood and until death violates the Plaintiffs' Thirteenth Amendment Rights.

VII

INJURY

36. Because of the legislation and action of the State of Illinois, the Plaintiffs and members of their class have been denied convenient access to knowledge of their natural heritage. This alone amounts to an unconscionable and unconstitutional affront to their dignity. Besides this, many adoptees have suffered psychological trauma from being denied knowledge of who they are. There is also a potential financial injury, since under Illinois law asoptees may be entitled to inherit from the intestate estates of their natural parents and are also entitled under some circumstances, to financial support by their natural parents.

VIII

RELIEF REQUESTED

37. The Plaintiffs respectfully ask:

(1) That a Three-Judge Federal Court be convened to hear and determine this action pursuant to 28 U.S.C. 2281 and 2284.

(2) That such Court after a hearing declare that Ill. Rev. Stat., Ch. 4, §9.18 (1973), Ch. 111 1/2, §73-17(2)(a) and Ch. 111 1/2, §73-17(4) are in violation of the Plaintiffs' rights as protected by the Constitution of the United States and are therefore void and of no effect.

(3) That such Court enter a judgement permanently enjoining the Defendants, their officers, agents and employees from giving force to the aforesaid statutes and from denying Plaintiffs access to any and all files in the possession of

any agency or Court operating pursuant to, or under the color of, State law, which files relate to the background, heritage, and identity of the natural parents and families of adopted persons.

Respectfully submitted,

Patrick T. Murphy
Attorney for Plaintiffs

YESTERDAY'S CHILDREN
P.O. BOX 1554
EVANSTON, ILLINOIS 60204
(312) 864-1377

DONNA CULLOM – President

As a member of the board of directors of the organization, Yesterday's Children, I am pleased to send you the enclosed information concerning this organization. Our organization is concerned with child welfare practice and child welfare laws in the state of Illinois.

The majority of our membership are adults who were adopted children. Since adoption agencies both reflect and influence thinking which affects the plight, and rights, of adult adoptees, Yesterday's Children would like very much to have a mutually satisfying association with Illinois adoption agencies.

Yesterday's Children is interested in hearing your ideas. We'd like to determine how we might work together to modify the existing situation, whereby adult adoptees are denied access to the information pertaining to their own births and adoptions.

Would you please share with us your current thinking and practice concerning the sharing of biological history from your records? We are interested in your thoughts concerning the rights and the needs of the individuals within the adoption complex, and particularly your reservations in relation to a change in law that would give adult adoptees access to their own history.

Times have changed. And we believe social thinking should change with the times. It is our hope that we can work together to meet the needs of all of the parties to adoption while at the same time protecting the rights of each.

We will look forward to hearing from you, and hopefully to a meeting with you in the near future. If you would be interested in meeting with representatives of our group to discuss these problems, we would like to arrange such a meeting.

Cordially,

YESTERDAY'S CHILDREN
P.O. BOX 1554
EVANSTON, ILLINOIS 60204
(312) 864-1377 •

DONNA CULLOM – President

YESTERDAY'S CHILDREN is an organization of adults dedicated to the proposition that every person has a right to knowledge of his own historical past. The majority of members of the organization are people who have been separated from their natural families through foster care or adoption, divorce or the death of parents. During their childhood they have known substitute parents and the knowledge of their original parents and family history has been lost to them through unwise social practices and the laws fostered by those practices. Membership in YESTERDAY'S CHILDREN is not, however, limited to people who have experienced a separation from their natural families, but is open to all who understand and support the need of people to incorporate knowledge of their own forbears into their lives today.

Social welfare practices have evolved from a lack of understanding of the importance of being rooted in a history of one's own. Children separated from their natural families have suffered a deep, personal loss in the process of the destruction of their true identity. They have been deprived of the sense of continuity in life that comes from knowing how one is a part of the history of man...the sense of continuity that can be achieved only by knowing how one is a part of one's own biological family.

YESTERDAY'S CHILDREN propose that it is a universal human need to know your own true identity and the identities of your forbears. We propose that because it is a human need, it should be recognized that it is a human right to meet that need. We believe that current social practices and current state laws that prohibit adults from learning their own identities and histories are a violation of human rights and a violation of civil rights under our Constitution. We believe that every adult should have access to the recorded information concerning his own history and his separation from his own natural family.

The purposes of the organization are threefold. We propose to work to amend state law to recognize the right of the adult to the information that concerns him; we propose to speak out in behalf of children currently growing up in adoption or foster care; and we propose to offer counsel and assistance to adults seeking their own historical roots.

Therefore, we will actively oppose the state laws that have sealed the records that contain the biological history of the child who has been separated from his natural family. YESTERDAY'S CHILDREN will conduct monthly meetings for the purposes mentioned and we will initiate activities directed toward fulfilling the purposes of the organization. All members will receive the newsletter of the organization and will be entitled to participate in the activities of the organization. In addition, we will hold regular Search Workshops for the purpose of assisting individual members with their individual searches

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It is not the conviction of the membership of YESTERDAY'S CHILDREN that adoption and foster care are, of themselves, wrong. But it is our belief that these relationships have been gravely damaged and unhappily burdened by the attempt to destroy the evidence of the child having any existence before his separation and relocation. We believe that the success and mutual satisfaction in any relationship depends upon honesty, openness and trust. While it may meet adult needs to structure foster family relationships to exclude other parents and a different biological heritage, it does not meet the needs of the people to whom it is done. All people need a reality of their own. As adults, they demand to know about themselves what their parents have always known about themselves.....who they are and where they came from.

For further information or membership application, please contact:

YESTERDAY'S CHILDREN
P.O. Box 1554
Evanston, Illinois 60204